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Attorneys for Plaintiff North East Medical Services, Inc.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

<p><b>NORTH EAST MEDICAL SERVICES, INC.,</b></p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p style="text-align: center;">v.</p> <p><b>CALIFORNIA DEPARTMENT OF HEALTH          CARE SERVICES AGENCY, et al.,</b></p> <p style="text-align: center;"><i>Defendants.</i></p>	<p><b>CASE NO. CV-10-2433-RS</b></p> <p><b>STIPULATION TO CONTINUE          CASE MANAGEMENT          CONFERENCE AND HEARING          ON MOTION TO          DISMISS AND ORDER</b></p>
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WHEREAS, Defendants have filed a Motion to Dismiss which was originally set for hearing on September 9, 2010, but was continued pursuant to stipulation to October 28, 2010 at 1:30 p.m.

AND WHEREAS, the Case Management Conference in this matter is currently set for October 21, 2010 at 10:10 a.m.

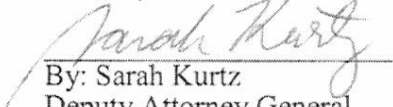
AND WHEREAS, counsel for Plaintiff will be filing, within the next 30 days, at least one other case raising the same issues that are before this court in the above entitled action and will then seek to have such case(s) related and assigned to this court and the matters consolidated for purposes of judicial economy.

1 AND WHEREAS, although counsel for Defendants cannot stipulate that such case(s)  
 2 are related or should be consolidated with the above entitled action until they have an  
 3 opportunity to review the new case(s), and expressly reserve the right to oppose such requests,  
 4 counsel for both parties believe that judicial economy will be served by continuing the Case  
 5 Management Conference and the Motion to Dismiss to a later date.

6 THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff North East  
 7 Medical Services, Inc. and Defendants California Department of Health Care Services, Health  
 8 and Human Services Agency, the State of California and David Maxwell-Jolly, through their  
 9 respective counsel, that the hearing on the Motion to Dismiss currently set for October 28, 2010  
 10 at 1:30 p.m. and the Case Management Conference currently set for October 21, 2010 at 10:00  
 11 a.m., both be continued to January 6, 2011 at 1:30 p.m. and Plaintiff's Opposition to the Motion  
 12 to Dismiss will be filed on or before November 16, 2010.

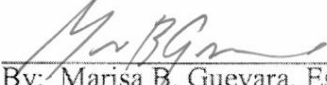
13 Dated: September 3, 2010

Edmund G. Brown Jr.  
 Attorney General of California

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 By: Sarah Kurtz  
 Deputy Attorney General  
 Attorneys for Defendants

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 17 Dated: September 1, 2010

FELDESMAN TUCKER LEIFER FIDELL LLP  
 LAW OFFICES OF ROBERT F. KANE

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 By: Marisa B. Guevara, Esq.  
 Attorneys for Plaintiff  
 North East Medical Services, Inc.

20  
 21 ORDER

22 On reading and filing the stipulation of the parties hereto and good cause appearing  
 23 therefore,

24 IT IS HEREBY ORDERED that:

25 1. The hearing on the Motion to Dismiss currently set for October 28, 2010 at  
 26 1:30 pm and the Case Management Conference currently set for October 21, 2010 at 10:00  
 27 a.m. are both continued to January 6, 2011 at 1:30 p.m.

28 2. Plaintiff's written Opposition to the Motion to Dismiss will be filed on or

1 before November 16, 2010.

2 Dated: 9/8/10

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UNITED STATES DISTRICT COURT JUDGE